



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
December 11, 2000**

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25-00

DMB:dmb

The meeting was called to order at 9:05 a.m., with all Members being present, with the exception of Supervisor Kauffman, and with Chairman Hanley presiding.

Supervisor Kauffman arrived at 9:15 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS

1. **PROPOSED PLAN REVIEW PROCESS - STATUS REPORT**
(Tape 1)

Chairman Hanley called the Board's attention to a memorandum from Barbara J. Lippa, Executive Director of the Planning Commission, outlining proposed changes to the process that the County uses to review the Comprehensive Plan, and that there will be a Planning Commission Policy and Procedures Committee meeting on December 14, 2000, to review the proposed revisions to the Area Plans Review (APR) process. Chairman Hanley reminded Board Members that questions and/or comments regarding the proposal under consideration should be addressed to the Planning Commission.

2. **MOMENT OF SILENCE** (Tape 1)

Supervisor Gross asked everyone to remember in thoughts the family of Alan Emory, a Lake Barcroft resident who passed away last week. He was a well-known and internationally-known journalist who had been the bureau chief for the Watertown, New York newspaper for almost 40 years and a well-respected, active member of Fairfax County.

Supervisor Gross asked everyone to remember in thoughts the family of David Allan Pankey, a 15-year-old gifted musician from Jeb Stuart High School, who passed away last week after a brave fight against leukemia.

AGENDA ITEMS

3. **CERTIFICATES OF RECOGNITION PRESENTED TO FOUR SOUTH LAKES HIGH SCHOOL STUDENTS** (Tape 1)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to three South Lakes High School students who participated in the Fairfax County-Southwest Virginia exchange program. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO FAIRFAX COUNTY 4H CLUB OF THE HOOFERS AND HEIFERS** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to the 4H Club of the Hoofers and Heifers for their achievements. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO FRIENDS OF GEORGE MASON LIBRARY** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Friends of George Mason Library for their humanitarian efforts on behalf of libraries elsewhere in Virginia. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ARMAND MALO** (Tape 1)

Chairman Hanley presented the Certificate of Recognition to Mr. Armand Malo, Director of Purchasing and Supply Management, for receiving the Distinguished Service award from the National Association of Counties (NACo) and the United States Conference of Mayors.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BILL CRAMER** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Bill Cramer for his service as chair of the Redevelopment and Housing Authority and member of the Housing Authority. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

8. **10 A.M. – PRESENTATION BY THE MILLENNIUM STEERING COMMITTEE** (Tape 1)

(BACs) Charlotte S. Peed, Chairman, Millennium Steering Committee, presented its closing report. Ms. Peed noted that the committee was selected by the White House to also be a member of a group of counties known as The Millennium Community Counties.

Ms. Peed presented the remaining funds to the Board in two checks; one for \$4,900 for the General Fund and the other for \$5,000, to be used for the Fairfax County's new Youth Leadership Academy initiative.

Ms. Peed presented a plaque to the Board in recognition and celebration of the Millennium.

Chairman Hanley conveyed the Board's appreciation to the Millennium Committee for its exceptional effort and to all those who gave in-kind and monetary contributions.

9. **10:10 A.M. – PRESENTATION OF THE DON SMITH EMPLOYEES ADVISORY COUNCIL (EAC) AWARDS** (Tape 1)

Purvis Dawson, Chairman, EAC presented the Don Smith Employees Advisory Council Award to:

- Virginia Stanton, Department of Public Works and Environmental Services
- Patrick J. Morrison, Fire and Rescue Department

10. **10:25 A.M. – PRESENTATION BY THE METROPOLITAN WASHINGTON AIRPORTS ADVISORY ON DULLES AIRPORT EXPANSION** (Tapes 1-2)

Jim Wilding, President and Chief Executive Officer, Metropolitan Washington Airports Authority, presented a comprehensive report regarding the new development program at Washington Dulles International Airport.

DAM:dam

11. **10 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS**
(Tape 3)

(BACs)

(APPTS)

AIRPORTS ADVISORY COMMITTEE

Supervisor Bulova moved the re-appointment of Mr. Frederick A. Rodgers as the Braddock District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the re-appointment of Ms. Debra D. Taylor as the Dranesville District Representative to the Airports Advisory Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Ms. Glenda Blake as the Hunter Mill District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Mr. Richard Martinez, Jr. as the Providence District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the re-appointment of Mr. Cedrick DuBard as the Sully District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The appointments of the Lee and Springfield District Representatives to the Airports Advisory Committee were deferred.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

The appointment of the At-Large representative to the Alcohol Safety Action Program Local Policy Board was deferred.

CELEBRATE FAIRFAX INCORPORATED, BOARD OF DIRECTORS

Supervisor Frey moved the re-appointment of Mr. Benjamin F. Jarratt as an At-Large Representative to the Celebrate Fairfax Incorporated, Board

of Directors. Supervisor Mendelsohn and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Albert J. McAloon as an At-Large Representative to the Celebrate Fairfax Incorporated, Board of Directors. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Ms. Uyen T. Dinh as an At-Large Representative to the Celebrate Fairfax Incorporated, Board of Directors. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. Allen Herbert, Jr. as an At-Large Representative to the Celebrate Fairfax Incorporated, Board of Directors. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CHARACTER COUNTS! TASK FORCE

The appointment of the Sully District Representative to the Character Counts! Task Force was deferred.

CHILD CARE ADVISORY COUNCIL

The appointments of the Mason and Springfield District Representatives to the Child Care Advisory Council were deferred.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Chairman Hanley moved the re-appointment of Ms. Katherine E. Fisher as an At-Large Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Ms. Debra K. H. Smith as the Providence District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The appointment of an At-Large Representative to the Commission on Organ and Tissue Donation and Transplantation was deferred.

CIVIL SERVICE COMMISSION

Supervisor Hudgins moved the re-appointment of Mr. Robert Greaux as an At-Large Representative to the Civil Service Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMUNITY ACTION ADVISORY BOARD

The appointments of the Mason and Springfield District Representatives to the Community Action Advisory Board were deferred.

COMMUNITY IMPROVEMENT COMMITTEE

Following discussion, with reference to a memorandum dated December 7, 2000, from Anthony H. Griffin, County Executive, regarding the status of the Community Improvement Program and advisory committee, Supervisor Kauffman asked unanimous consent that the Board direct staff to determine the status of Jefferson Manor. Without objection, it was so ordered.

The appointments of the Braddock, Dranesville, Mason (Fairdale Community), Providence, Springfield, and Sully District Representatives to the Community Improvement Committee were deferred.

CONSUMER PROTECTION COMMISSION

The appointment of the At-Large (Resident of Fairfax County) Representative to the Consumer Protection Commission was deferred.

CRIMINAL JUSTICE ADVISORY BOARD

The appointment of the Braddock District Representative to the Criminal Justice Advisory Board was deferred.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Chairman Hanley moved the re-appointment of Mr. James R. Elder as an At-Large Representative to the Environmental Quality Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Robert D. McLaren as an At-Large Representative to the Environmental Quality Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Ms. Stella M. Koch as an At-Large (Chairman's) Representative to the Environmental Quality

Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. J. Craig Potter as the Mount Vernon Representative to the Environmental Quality Advisory Council. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Frey announced the resignation of Ms. Tanis Skislak as the Sully District Representative to the Environmental Quality Advisory Council.

The appointment of the Providence District Representative to the Environmental Quality Advisory Council was deferred.

FAIRFAX AREA DISABILITY SERVICES BOARD

The appointments of the Dranesville and Springfield District Representatives to the Fairfax Area Disability Services Board were deferred.

HUMAN SERVICES COUNCIL

The appointment of the Sully District Representative to the Human Services Council was deferred.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL

Chairman Hanley moved the re-appointment of Mr. Juan Dulanto as the At-Large (Chairman's) Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Ms. Patricia H. Brandon as the Hunter Mill District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. Frederick M. Joyce as the Mount Vernon District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The appointment of the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council was deferred.

NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE

The appointment of an At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee was deferred.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The appointments of two At-Large Representatives to the Oversight Committee on Drinking and Driving were deferred.

ROAD VIEWERS BOARD

The appointments of two At-Large Representatives to the Road Viewers Board were deferred.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

The appointment of the Resident/Owner (Route 28 District) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.

TENANT LANDLORD COMMISSION

The appointments of two At-Large (Landlord Member) and the At-Large (Tenant Member) Representatives to the Tenant Landlord Commission were deferred.

TREE COMMISSION

The appointments of the Hunter Mill and Sully District Representatives to the Tree Commission were deferred.

WETLANDS BOARD

Chairman Hanley moved the re-appointment of Ms. Mary Lou Melley as the At-Large Representative to the Wetlands Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

AD-HOCS**ANIMAL CARE AND CONTROL COMMITTEE**

The appointment of the Mason District Representative to the Animal Care and Control Committee was deferred.

HEALTH AND MEDICAL CARE DELIVERY TASK FORCE

The appointments of the Lee, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force were deferred.

SIGN TASK FORCE

The appointments of the Dranesville, Lee, and Sully District Representatives to the Sign Task Force were deferred.

TELECOMMUNICATIONS ("MONOPOLES") LAND USE TASK FORCE

Chairman Hanley moved the re-appointment of Ms. Susan Notkins as the At-Large (Chairman's) Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Mr. Robert Griendling as the Braddock District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the appointment of Ms. Judy Downer as the Dranesville District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Ms. Carrol Cole as the Mason District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. Sylvester C. Berdux, Jr. as the Mount Vernon District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Ms. Fran Wallingford as the Providence District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Mr. Jerry L. Little as the Springfield District Representative to the Telecommunications ("Monopoles") Land Use Task Force. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The appointments of the Hunter Mill, Lee, and Sully District Representatives to the Telecommunication ("Monopoles") Land Use Task Force were deferred.

DS:ds

12. **ADMINISTRATIVE ITEMS** (Tape 4)

Supervisor Connolly moved approval of the Administrative Items. Supervisor Hyland seconded the motion and it carried by unanimous vote.

ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY 2232 REVIEW APPLICATIONS (MOUNT VERNON, SPRINGFIELD, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the date noted:

- Application FS-S00-112 to February 17, 2001
- Application 2232-V00-36 to April 26, 2001
- Application 2232-Y98-7 to July 13, 2001

ADMIN 2 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with their registration numbers, as Plans Examiners:

- Daniel M. Duke (202)
- Leo J. Ratchford (203)
- Judith A. Cronauer (204)
- Valerie Tucker (205)
- Matthew D. Kroll (206)

ADMIN 3 – EXTENSION OF PAN AM PARK-AND-RIDE AGREEMENT (PROVIDENCE DISTRICT)

Approved extension of the current agreement with Federal Realty Investment Trust on a month-to-month basis until additional on-site Metrorail parking is available in early 2001.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON A PORTION OF HORSEPEN ROAD (ROUTE 605) (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 8, 2001, at 3:30 p.m.** to consider the abandonment of a portion of Horsepen Road.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF ADDITIONAL LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT– BURKE CENTRE PARKWAY (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 8, 2001, at 3:30 p.m.** on the acquisition of additional interests in real property necessary for the construction of County Road Bond Project 064153 – Burke Centre Parkway.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED CONSOLIDATED PLAN ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2002

- (A) Authorized the advertisement of a public hearing to be held on **February 5, 2001, at 7 p.m.** regarding the proposed Consolidated Plan One Year Action Plan for FY 2002.

ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-C-027-7, SHOWBIZ PIZZA TIME, INCORPORATED D/B/A CHUCK E. CHEESE'S (HUNTER MILL DISTRICT)

- (AT) Approved the request for 12 months of additional time for Special Exception Amendment Application SEA 89-C-027-7 to November 18, 2001, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-S-015, THE BURKE VILLAGE CENTER ASSOCIATES LIMITED PARTNERSHIP (SPRINGFIELD DISTRICT)

- (AT) Approved the request for 12 months of additional time for Special Exception Application SE 95-S-015, to October 30, 2001, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01046 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT A SUPPLEMENTAL GRANT AWARD FROM THE US AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF FOREIGN DISASTER ASSISTANCE (USAID/OFDA) TO SUPPORT THE URBAN SEARCH AND RESCUE PROGRAM

- (SAR) Approved SAR AS 01046 in the amount of \$837,064 for the FRD to accept funding as part of a recent modification and continuation of the cooperative agreement with USAID/OFDA. A local cash match of \$48,329 is required.

ADDITIONAL BOARD MATTER

13. **INTENT TO CANCEL THE PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO CONSIDER ENACTING CHAPTER 9.1 (COMMUNICATIONS) AND REPEALING CHAPTER 9 (CABLE COMMUNICATIONS) DEFERRED** (Tape 4)

Chairman Hanley called the Board's attention to a memorandum from Anthony H. Griffin, County Executive, recommending to readvertise the public hearing regarding the proposed amendments to the Code of the County of Fairfax, to consider enacting Chapter 9.1 (Communications) and repealing Chapter 9 (Cable Communications). Discussion ensued with input from Mr. Griffin.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to contact any individuals who had signed up to speak and inform them that the public hearing scheduled for 4:30 p.m. today will be cancelled, and staff will be authorized to readvertise at the January 8, 2001, meeting, and the public hearing will be held at the January 22, 2001, meeting. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to examine the opportunity of re-approving and re-authorizing this

proposed amendment to determine whether any of the public, educational, and governmental funds being set aside for the cable franchise will be useful in other areas such as revitalization and/or underground utilities. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to review the provisions regarding liquidated damages and work with the cable provider to determine whether the funds received from fines could be used as a rebate to customers, rather than being put into the County's general fund. Without objection, it was so ordered.

(NOTE: Later in the meeting the public hearing was formally cancelled. See Clerk's Summary Item CL#67.)

AGENDA ITEMS

14. **A-1 – AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FISCAL YEAR (FY) 2001 THIRD QUARTER BILLING (COUNTYWIDE)** (Tape 4)

(R) On motion of Supervisor Kauffman, seconded by Supervisor Mendelsohn, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and adopted the Resolution authorizing the payment of WMATA's FY 2001 third quarter transit operating and capital billing in the amount of \$13,543,632.

15. **A-2 – AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT AND ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS TASK FORCE'S COMMENTS REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2002 VIRGINIA RAILWAY EXPRESS (VRE) BUDGET** (Tape 4)

On motion of Supervisor Bulova, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized the payment of \$1,194,532 to the Northern Virginia Transportation Commission as the County's regular contribution to VRE.

- Endorsed the Chief Administrative Officer Task Force's three primary recommendations on the FY 2002 VRE budget as follows:
 - VRE should implement a four percent fare increase as proposed
 - VRE should not increase the number of trains operated during FY 2002 above the current level.
 - VRE should continue to plan for its long term capital needs and identify any local match requirements to fund its capital program in the future.

16. **A-3 – ADJUSTMENT OF UNIT PRICE SCHEDULE USED BY THE OFFICE OF SITE DEVELOPMENT SERVICES TO DETERMINE THE VALUE OF BONDS FOR SUBDIVISION AND SITE PLAN AGREEMENTS** (Tape 4)

On motion of Supervisor Frey, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Unit Price Schedule effective January 1, 2001.

17. **A-4 – APPROVAL OF AN AGREEMENT BETWEEN THE FAIRFAX COUNTY PARK AUTHORITY AND THE BOARD OF SUPERVISORS RELATING TO PROPERTIES OBTAINED THROUGH THE DEVELOPMENT PROCESS FOR PUBLIC OPEN SPACE, PARK, OR RECREATIONAL PURPOSES** (Tape 4)

(R) On motion of Supervisor McConnell, jointly seconded by Supervisor Bulova and Supervisor Hyland, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and:

- Approved the agreement with the Park Authority.
- Authorized the Chairman of the Board to execute the agreement on behalf of the Board.
- Adopted the Resolution delegating authority to the County Executive or his designee to request on behalf of the Board dedications, conveyances, and easements from the Park Authority pursuant to the agreement.

18. **A-5 – APPROVAL OF AN AGREEMENT WITH PRINCE WILLIAM COUNTY FOR THEIR USE OF THE LORTON TOWER AND EQUIPMENT BUILDING LOCATED AT 9850 FURNACE ROAD** (Tape 4)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorized staff to execute an agreement substantially in the form of an agreement for Lorton Tower to allow Prince William County to use a portion of the Lorton Tower and equipment building. Supervisor McConnell seconded the motion.

Following discussion, the question was called on the motion and it carried by unanimous vote.

19. **A-6 – ENDORSEMENT OF THE PLANNING COMMISSION'S RECOMMENDATIONS RESULTING FROM THE INFILL AND RESIDENTIAL DEVELOPMENT STUDY** (Tape 4)

- (A) Following discussion, with input from James P. Zook, Director, Department of Planning and Zoning; Walter Alcorn, At-Large Representative to the Planning Commission, and Robert L. Moore, Chief, Transportation Planning Division, Department of Transportation, Supervisor Bulova moved that the Board direct staff to advertise a public hearing to be held before the Board to receive comments from citizens regarding the Infill and Residential Development Study and the Planning Commission's recommendations on **January 22, 2000, at 5 p.m.** Supervisor Mendelsohn seconded the motion.

Further discussion ensued with input from Mr. Zook and Mr. Alcorn.

The question was called on the motion and it carried by unanimous vote.

Supervisor Kauffman asked unanimous consent that the Board direct staff to respond to the following questions before the next Board meeting:

- Highlight on the chart which of the Planning Commission recommended items apply to the by-right development proposal.
- What needs to be done to ensure that the Planning Commissions recommended priority action items can be addressed within one year?
- Regarding SC2 as drafted: Does this propose a measure to deal with cumulative impact on public facilities?

- Regarding SC5 (Cluster-by-right): What is the status of the Priority One 2000 Zoning Ordinance Amendment in the work plan?

Supervisor Connolly asked to amend the request, and asked unanimous consent that the Board direct staff to return with an explanation as to why the Planning Commission chose not to recommend cluster-by-right, and this was accepted.

- Regarding TR1E (Traffic-calming): How does it relate, or differ, from TR1A?
- Regarding TR2: Page 81 of the Infill and Residential Development Study - Review the number of temporary cul-de-sacs in the County.
- Regarding the first four SW Items: What is the time schedule regarding implementation of these projects?
- Regarding SW2: If a land disturbing permit is revoked what impact will it have on the County?

Without objection, the request, as amended, was so ordered.

Further discussion ensued with input from Mr. Zook.

20.

C-1 – CREATION OF A SANITARY DISTRICT OR DISTRICTS TO SOLVE WATER SUPPLY PROBLEMS IN THE LINCOLN-LEWIS-VANNOY AREA OF THE COUNTY (SPRINGFIELD DISTRICT) (Tape 4)

Supervisor McConnell moved that the Board concur in the recommendation of staff and:

- Direct staff to work with the Water Authority to establish the exact source of funding for the project.
- Direct staff to work with the community to establish the exact location of the sanitary district(s).
- Direct staff to report at a future date for the advertisement and holding of a public hearing for creation of the sanitary district(s).

Chairman Hanley seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, and J. Patrick Taves, Deputy County Attorney.

The question was called on the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

21. **I-1 – CONTRACT AWARDS AND APPROVAL OF STREET ACCEPTANCE ITEMS DURING BOARD OF SUPERVISORS' RECESS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated December 11, 2000, requesting authorization for the County Executive or the appropriate Deputy County Executive or the Chief Financial Officer to continue to award construction, professional, and consultant contracts in excess of \$100,000 during periods when the Board is in recess.

The staff was directed administratively to proceed as proposed.

22. **I-2 – CONTRACT AWARD - LEE CHAPEL ROAD/POND POINT DRIVE INTERSECTION IMPROVEMENT (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated December 11, 2000, requesting authorization for staff to award a contract to Tavares Concrete Company, Incorporated in the amount of \$145,232 for the construction of Project 064207, Lee Chapel Road/Pond Point Drive Intersection Improvement, in Fund 304, Primary and Secondary Road Bond Construction.

The staff was directed administratively to proceed as proposed.

23. **I-3 – AUTHORIZATION OF AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE DEVELOPMENT AND ADMINISTRATION OF THE GEORGETOWN PIKE AND WALKER ROAD TRAILS (DRANESVILLE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated December 11, 2000, requesting authorization for staff to execute an agreement with VDOT for the development and administration of the Georgetown Pike and Walker Road trails project.

The staff was directed administratively to proceed as proposed.

24. **I-4 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-M00-24, AT&T WIRELESS SERVICES (MASON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated December 11, 2000, announcing the Planning Commission's approval of Public Facilities Application 2232-M00-24.

25. **I-5 – CONTRACT AWARD - HOLLY PARK SANITARY SEWER EXTENSION AND IMPROVEMENT (BRADDOCK DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated December 11, 2000, requesting authorization for staff to award a contract to Cube Construction Corporation in the amount of \$292,789 for the construction of Holly Park Sanitary Sewer Extension and Improvement, in Project X00826, Extension Project FY96, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

26. **FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) RECEIVES NATIONAL ACCLAIM FROM THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP) FOR TRAFFIC SAFETY EFFORTS** (Tape 4)

Chairman Hanley announced that the FCPD has received national acclaim from the IACP for traffic safety efforts. She said that the Department was named the best of the best by placing first in the 2000 Championship Class as a result of awards presented in 1999.

For the fifth year, Fairfax County received top honors in the multi-jurisdictional agency category for the Washington Regional Child Passenger Team Program. On an individual basis, Master Police Officer David Bean won the prestigious J. Stannard Baker Award for his outstanding contribution to highway safety through his work in traffic crash investigation and reconstruction over the past fifteen years.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite the appropriate representatives from the Police Department to appear before the Board to be recognized for its outstanding achievements. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

27. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)
SECONDARY SIX YEAR PLAN** (Tape 4)

Chairman Hanley stated that about this time every year the Board holds its joint public hearing with VDOT on the Secondary Six-Year Plan. She said that it has come to her attention that because of the delay in the adoption of the Virginia Development Plan (the old State Interstate and Primary Six-Year Plan), there will be a delay in finalizing the County's Secondary Six-Year Plan. Fairfax County will have almost \$600,000 less this fiscal year (FY) and approximately \$1.4 million less in FY 2002. VDOT will also add escalation costs to the project estimate, which will undoubtedly affect project schedule. She said that the Board needs to have the latest project cost estimates and schedule from VDOT to achieve a better understanding of the effect of reduced funding on the transportation program.

Therefore, Chairman Hanley moved that the Board direct staff to send a letter to VDOT to request expeditious processing of project estimates and schedules so that the Secondary Six-Year Plan can be developed, and the public hearing held, as soon as possible. Supervisor Bulova and Supervisor Connolly jointly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

28. **LETTER FROM THE VIRGINIA DEPARTMENT OF
TRANSPORTATION (VDOT) REGARDING DULLES TOLL
ROAD (DTR) SHOULDER IMPROVEMENT** (Tape 4)

Chairman Hanley shared with the Board a copy of a letter she had received from VDOT regarding the DTR shoulder improvement. She said that the improvement will allow transit buses taking commuters on eastbound Dulles Toll Road to bypass congestion en route to the West Falls Church Metro Station. She noted that the project has been completed one month in advance of the contract date and publicly thanked VDOT.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

29. **CAMP VIRGINIA JAYCEE** (Tape 5)

Supervisor Mendelsohn said that Camp Virginia Jaycee is a year-round residential outdoor recreation and education facility located in the Blue Ridge Mountains of Virginia. This nonprofit organization has been serving children and adults with mental retardation throughout Virginia for almost 30 years.

Supervisor Mendelsohn applauded the outstanding efforts of this organization, including the opportunities that are provided for outdoor education and recreation to individuals from the Northern Virginia Training Center.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to review the \$120,000 gift request by the Camp Virginia Jaycee Board of Directors for its endowment to be considered for funding as part of the Fiscal Year 2002 budget.

Following discussion, Supervisor Mendelsohn clarified that the request was to be in the form of a Consideration Item and that staff be directed to evaluate this issue to determine if it would appropriately be considered in the Consolidated Community Funding Pool.

Without objection, it was so ordered.

30. **MCLEAN HIGH SCHOOL RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21** (Tape 5)

Supervisor Mendelsohn said that the residents of Tyndale Street from Rupert Street to Margie Street have petitioned the Board to be included in the McLean High School RPPD District 21. This location represents residential streets that are within 2000 feet of a pedestrian entrance to McLean High School.

Supervisor Mendelsohn moved that the Board:

- Direct staff to determine whether this street meets the appropriate criteria for inclusion in this RPPD.
- Waive the filing fees of \$10 per petition address for these residents.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

31. **DOGWOOD ELEMENTARY SCHOOL** (Tape 5)

Supervisor Hudgins said that in cases of emergency, many of the parents who live near Dogwood Elementary School were able to walk to the school to pick up their children. Since the fire at the school, Dogwood students have been assigned to schools throughout Reston and Herndon. A school administrator raised the concern that many Dogwood parents may have difficulty traveling to the new school sites to pick up a child in an emergency.

Supervisor Hudgins moved that the Board approve the allocation of 10 free Fairfax Connector coupons to assist Dogwood Elementary School parents with transportation when picking up children in an emergency. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

There was a brief discussion of this item.

32. **RAIL-TO-BUS TRANSFERS** (Tape 5)

Supervisor Hudgins said that the rail-to-bus transfers are not uncommon and for riders on Metro to transfer to the Fairfax Connector they would need bus transfer tickets, which are obtainable at the rail station. A concern and observation has been raised that on December 1, 2000, riders presenting bus transfer tickets from the Foggy Bottom station to Fairfax Connector drivers were not accepted by the bus drivers. This appears to be due to illegible or blank bus transfer tickets issued at the rail stations with the assurances from the rail attendees that the transfer tickets were valid despite the illegible or blank tickets. Once presenting them to the bus drivers, riders soon discovered that their tickets would not be accepted. This incident does not appear to be an isolated incident, but one that appears to be recurring.

While officials strive to make public transportation a seamless commute, Supervisor Hudgins said that telling riders that they cannot board the Fairfax Connector using transfers because rail-to-bus transfer tickets are not being accepted, quickly becomes a deterrent from their use of public transportation.

Supervisor Hudgins moved that the Board direct staff to:

- Report on the frequency of invalid rail to bus transfer occurs.
- Evaluate the rail-to-bus transfer process to determine the status and use of rail to bus tickets.
- Provide a status on including rail to bus transfer as part of the initiative to consolidate Smartcard and rail passes.

Supervisor Bulova seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to:

- Circulate the report on the efforts being made to include the Smartcard technology on all of the buses in the region.

- Report on invalid rail to Fairfax Connector bus transfers.

This was accepted.

Following discussion, the question was called on the motion, as amended, and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

33. **PEDESTRIAN ACCIDENT** (Tape 5)

Supervisor Hudgins said that on March 7, 2000, a cyclist was injured attempting to cross Sunset Hills Road on the W&OD trail in the pedestrian crosswalk. She referred to a letter from a constituent to Judge Richard Horan regarding the trial of the cyclist injured in this accident. In the letter, the constituent notes Judge Horan misstated the rules that pedestrian crosswalks do not apply to bicycles.

Supervisor Hudgins said that the rules that apply to a pedestrian crosswalk, by virtue of the *Code of Virginia*, also apply to cyclists in the crosswalk. The *Code of Virginia*, Title 46.2, Chapter 8 - Regulation of Traffic- Article I - General and Miscellaneous, Section 46.2-904 states "A person riding a bicycle on a sidewalk, or across a roadway on a crosswalk, shall have all the rights and duties of a pedestrian under the same circumstances." There are stop signs on the W&OD trail; however, the signs are not mandated by the Virginia Department of Transportation. The signs on the trail were placed there by the Northern Virginia Regional Park Authority, which supplement the existing statute 46.2-924 that states, "No pedestrian shall enter or cross an intersection in disregard of approaching traffic."

Supervisor Hudgins said that the Virginia General Assembly recently passed House Bill 932, "Right of Way of Pedestrians" which amends Title 46.2. House Bill 932, signed by the Governor, went into effect July 1, 2000, as Chapter 323. The amendment summary as passed allows Arlington County and the City of Alexandria, by ordinance, to provide for the installation and maintenance of highway signs specifically requiring motorists to yield the right-of-way to pedestrians in marked crosswalks. Any operator of a motor vehicle who fails to yield the right-of-way as required by such signs will be guilty of a traffic infraction punishable by a fine of no less than \$100 and no more than \$500. The Commonwealth Transportation Board is to develop criteria for the design, locations and installation of such signs. The bill does not apply to any limited access highway.

Therefore, Supervisor Hudgins moved that the Board refer to the Legislative Committee for consideration of legislation which will allow

Fairfax County to post specific signs requiring motorists to yield the right-of-way to pedestrians and cyclist in crosswalks and allowing for associated fines for infraction. Supervisor Bulova seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to review this issue now and if it is determined that there is a need for legislation, the Board will go on record as endorsing it, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel Chairman Hanley.

34. **RIBBON-CUTTING CEREMONY** (Tape 5)

Supervisor Hudgins announced that there will be a ribbon cutting ceremony at the Fairfax County Parkway/Wiehle Avenue to Baron Cameron Run. The ceremony is scheduled for December 20, 2000, at 10 a.m.

35. **PINE RIDGE PARK** (Tape 5)

Supervisor Gross announced that on December 7, 2000, the School Board unanimously approved the transfer of the Pine Ridge site to the Fairfax County Park Authority, assuring at last that Pine Ridge will remain a park. This agreement is the culmination of years of effort, and thanks are owed to many people, including the Members of the Board, countless members of County staff, and especially the many citizens who would accept nothing less than the absolute assurance that the Pine Ridge site would remain a park permanently.

Supervisor Gross moved that the Board direct the County Executive and the County Attorney to finalize the agreement transferring the title of the Pine Ridge site to the Fairfax County Park Authority as soon as possible. Supervisor Connolly seconded the motion.

Following discussion, the question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

36. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) AWARDS SUPERVISOR CONNOLLY**
(Tape 5)

Supervisor Gross announced that the Metropolitan Washington COG awarded Supervisor Connolly the Elizabeth and David Scull Metropolitan Public Service Award for 2000.

37. **BOARD MATTER FOR SUPERVISOR FREY** (Tape 5)

(NOTE: Later in the meeting, Supervisor Frey presented a Board Matter. See Clerk's Summary Item CL#73.)

38. **NO BOARD MATTERS TO PRESENT FOR SUPERVISOR BULOVA** (Tape 5)

Supervisor Bulova announced that she had no Board Matters to present today.

NV:nv

39. **AAA BOND RATING** (Tapes 5-6)

Supervisor Connolly reminded the Board that at a recent meeting he had requested data regarding the savings the County had realized over the years because of its AAA bond rating. He referred the Board and members of the media to a memorandum from Edward L. Long, Jr., Chief Financial Officer, dated December 4, 2000, in which he stated that over the last 22 years, the County had saved the equivalent of \$150.7 million in interest costs because of the rating. This is the equivalent of approximately \$7 million a year, which averages to one cent on the tax rate.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to provide a status report on the self-imposed criteria for maintaining the AAA bond rating. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to determine whether:

- The recent constitutional amendment will affect the ability to sell school bonds and if it so, how.
- Legislative action is needed to implement the Constitutional amendment.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide the information on the savings achieved with the AAA bond rating, as well as information about the tax rate, to School Superintendent Daniel Domenech and the members of the School Board. Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to include a general presentation on bonds ("Bonds 101") when the Board meets with the School Board about budget issues. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to document the events relating to changes in school bond funding by the Board and how that relates to the budget guidelines. Without objection, it was so ordered.

40. **SCHEDULING OF THE PUBLIC HEARING FOR AN OUT-OF-TURN PLAN AMENDMENT (OTPA) FOR THE VIRGINIA CENTER SITE** (Tape 6)

Supervisor Connolly stated that the Board recently approved an OTPA for the Virginia Center site located north of the Vienna/Fairfax/GMU Metro Station. This site was previously planned for office development. With the approval of the OTPA, the plan now has an option for residential development.

Supervisor Connolly moved that the Board direct the Office of the County Executive to schedule a public hearing for the Virginia Center Limited Partnerships' Rezoning Application RZ 2000-PR-041 to be held before the Board on January 22, 2001. He noted that this action does not prejudice the consideration of this review in any way. Supervisor Gross seconded the motion, which carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

41. **RECREATION CENTER SPORTS TEAMS** (Tape 6)

Supervisor Connolly stated that it had recently been called to his attention that young people who play on a recreation center football team in the fall may not be able to stay with the same teammates and coach in the next sports season (e.g. basketball) because the next sport may have different eligibility rules. He asserted that this is burdensome as well as discouraging to the youth. He noted that lessons from team play include fellowship and mutual support and these lessons, as well as mentorship by coaches, should be supported.

Accordingly, Supervisor Connolly moved that the Board direct the staff of the Department of Community and Recreation Services, in conjunction with the Athletic Council, to assess eligibility requirements for all sports played by Recreation Center teams and to provide the Board with recommendations that assure uniformity in eligibility and protect participation by all of the youth, especially in the County's minority communities. Chairman Hanley seconded the motion and clarified it as only applying to teams that are sponsored by the recreation center, not teams that happen to play in the recreation center.

The question was called on the motion, as clarified, which carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

42. **NUTLEY STREET** (Tape 6)

Supervisor Connolly expressed his appreciation to the Board for its support in adding Nutley Street to the State's Secondary System and he noted that this action was accomplished. He asked unanimous consent that the Board direct staff to examine the extension of the no parking area along Nutley Street. Without objection, it was so ordered.

43. **RECOGNITION OF THE COUNTY'S GEOGRAPHIC INFORMATION SYSTEM (GIS) PROGRAM** (Tape 6)

Pending receipt of information that the Board had already done so, Supervisor Hyland moved that the Board direct staff to invite representatives of the GIS staff to appear before the Board to be recognized for national awards won by the program. Supervisor Hudgins seconded the motion, which carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

44. **FIRST BAPTIST CHURCH OF KINGSTOWNE** (Tape 6)

Supervisor Kauffman reminded the Board that the First Baptist Church of Kingstowne on Hayfield Road was destroyed by fire in March 2000. Since that time the congregation has been meeting in a temporary building. The congregation is proceeding with proposals for a new sanctuary that will be 20 feet closer to Hayfield Road. Because of this change, a special permit amendment is required.

To facilitate the timely construction and permanent replacement for the new church home, Supervisor Kauffman moved that the Board direct staff to process concurrently the necessary site and building plans with the special permit amendment applications. He noted that this motion does not relieve the applicant from complying with any regulations, ordinances, or adopted standards and does not prejudice the consideration of the special permit application in any way. Supervisor Hyland seconded the

motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

45. **BOARD RECESS** (Tape 6)

At 12:15 p.m., the Board recessed briefly and, at 12:20 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor Frey, and with Chairman Hanley presiding.

46. **SALES TAX PROPOSAL** (Tape 6)

Supervisor McConnell presented a Board Matter, copies of which were distributed to the Board, that addressed dedicated funding for school and transportation projects by a proposed one penny increase in the sales tax on every dollar over a ten year period. She stated that this proposal was an outgrowth of discussions she had with officials in other jurisdictions, specifically her hometown of Jacksonville, Florida where road projects are often successfully funded from a dedicated funding source, specifically an increase in sales tax. Citizens in that area passed a referendum to enact such a funding source.

Supervisor McConnell read a letter she planned to send to her constituents that urged them to present their views on this sales tax proposal to members of the General Assembly. As a Dillon Rule state, the General Assembly of the Commonwealth of Virginia must legislatively provide the local jurisdictions with the authority to hold a referendum to determine whether citizens would be willing to invest in school and transportation projects through an increase in the sales tax. She distributed a draft list of proposed transportation and school projects, respectively, that might be funded by such a method. She also distributed copies of sales and use tax rates for all 50 states and noted that Virginia has one of the lowest rates on the East Coast.

Following discussion, Supervisor McConnell stated that she would raise this proposal with members of the Fairfax delegation to the General Assembly at the legislative breakfast scheduled for Friday, December 15, 2000, at 7:30 a.m. at the Fairview Park Marriott. She did note that this proposal is not part of the County's legislative program for 2001 and that she hoped to enlist support for its introduction in 2002.

47. **RECESS/CLOSED SESSION** (Tape 6)

At 12:50 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting, and in addition:

- Katie A. Gible versus County of Fairfax, Virginia, et al., Civil Action Number 00-1665-A (Eastern District of Virginia)

Supervisor Bulova seconded the motion.

Chairman Hanley announced that should this motion carry, closed session would convene at 1:50 p.m.

The question was called on the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

SBE:sbe

At 3:20 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER

48. **WELCOME TO BOY SCOUT PACK 1134 FROM ANDREWS CHAPEL** (Tape 7)

Chairman Hanley recognized the presence of Boy Scout Pack 1134 from Andrews Chapel and warmly welcomed them to the Board Auditorium.

ACTION FROM CLOSED SESSION

49. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

ADDITIONAL BOARD MATTER50. **THE MYSTERIOUS PENNY AT EACH BOARD MEMBER'S PLACE** (Tape 7)

(NOTE: Earlier in the meeting the Board discussed a proposal related to an increase in the sales tax by one penny. See Clerk's Summary Item CL#46.)

Chairman Hanley asked if someone could enlighten the Board about the penny that was at each Board Members place. Supervisor McConnell stated that that is the penny that it will take to raise two billion dollars.

ADDITIONAL ACTIONS FROM CLOSED SESSION51. **AUTHORIZATION OF THE COUNTY EXECUTIVE TO EXECUTE TWO CONTRACTS WITH KOLL METROPOLITAN LLC** (Tape 7)

(A) Supervisor Frey moved that the Board authorize:

- The County Executive to execute a contract on behalf of the Board of Supervisors for the sale of the eastern portion of Land Bay A [Tax Map 55-2((1))15] and to execute a contract for the sale of the western portion of Land Bay A, both contracts with Koll Metropolitan LLC, on the terms and conditions outlined by the County Attorney in closed session. Both contracts are subject to final approval of the Board after a required public hearing pursuant to Virginia Code Annotated Section 15.2-800 (Michie Supp. 2000).
- The advertisement of public hearings to be held before the Board on the two contracts for the sale of Land Bay A to be held on **January 22, 2001, at 5 p.m.** Supervisor Connolly seconded the motion.

Chairman Hanley announced that this public hearing would be scheduled as the first 5 p.m. public hearing on January 22, 2001.

The question was called on the motion and it carried by unanimous vote.

52. **APPOINTMENT OF MS. MERNI FITZGERALD TO THE POSITION OF DIRECTOR OF THE OFFICE OF PUBLIC AFFAIRS** (Tape 7)

Supervisor Gross moved confirmation of the appointment of Ms. Merni Fitzgerald to the position of Director of the Office of Public Affairs, at level E 08, which represents an annual salary of \$82,000,

effective December 31, 2000. Supervisor Connolly seconded the motion and it carried by unanimous vote.

SBE:sbe

53. **3 P.M. – PH DECISION ON A PROPOSED CUT-THROUGH TRAFFIC RESTRICTION FOR PARK ROAD BETWEEN OLD DOMINION DRIVE AND KIRBY ROAD (DRANESVILLE DISTRICT)** (Tape 7)

(NOTE: On September 11, 2000, the Board deferred the public hearing on this item until October 30, 2000. At the conclusion of the public hearing, the Board deferred decision until December 11, 2000.)

Supervisor Mendelsohn moved that the Board recommend to the Virginia Department of Transportation approval of the implementation of cut-through measures for Park Road consisting of the installation of two raised crosswalks at two locations determined to be the most effective. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

54. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING NEW PRM PLANNED RESIDENTIAL MIXED USE DISTRICT** (Tape 7)

Supervisor Connolly moved to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding new PRM planned residential mixed use district until **January 8, 2000, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

55. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-007 (JCE, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 7-8)

- (O) (NOTE: On October 16, 2000, the Board deferred this public hearing until October 30, 2000. On October 30, 2000, the Board deferred this public hearing until November 20, 2000. On November 20, 2000, the Board deferred this public hearing until December 4, 2000. On December 4, 2000, the Board deferred this public hearing until December 11, 2000.)

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by five speakers, Leslie Johnson, Branch Chief, (on behalf of Cathy Lewis, Senior Staff Coordinator,) Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Ms. Strobel and Ms. Johnson.

Supervisor Connolly moved to defer decision on Rezoning Application RZ 2000-PR-007 until **January 8, 2000, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

56. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING NEW PRM PLANNED RESIDENTIAL MIXED USE DISTRICT** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerks' Summary Item CL#54.)

57. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING GROSS FLOOR AREA** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding gross floor area as recommended by the Planning Commission, as set forth in Attachment I of the Memorandum to the Board dated December 11, 2000, with an effective date of **December 12, 2000, at 12:01 a.m.** Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

58. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-032 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-C-076-6 (INOVA HEALTH CARE SERVICES) (SULLY DISTRICT)** (Tape 8)

- (O) Mr. Timothy S. Sampson reaffirmed the validity of the affidavit for the record.

Mr. Sampson had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Gross disclosed that she represents the County on the Inova Health Care Services Board.

Supervisor Frey disclosed that he represents the County on the Inova Health Care Services Board.

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-032, from the C-3 District to the C-3 District, subject to the execution of proffers dated December 6, 2000.
- Approval of the Special Exception Amendment Application SEA 84-C-076-6, subject to the draft development conditions dated November 16, 2000.
- Modification of the transitional screening yard requirement along the eastern boundary and modification of the barrier requirement along the eastern boundary in favor of that shown on the generalized development plan and the special exception plat.
- Reaffirmation of the previously granted modification of the transitional screening requirement and the previously granted waivers of the barrier requirements on the other boundaries of the application property.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

59. **3:30 P.M. – PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT), AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 91-D-004 (DURWARD AND TARRY FARIES) (DRANESVILLE DISTRICT)** (Tape 8)

- (O) Mr. Durward Farries, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Farries had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), to renew the Durward and Tarry Farries Agricultural and Forestal District (Application AR 91-D-004), subject to the ordinance provisions dated December 1, 2000. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

60. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-H-043 (VERIZON VIRGINIA INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 8)

Ms. Kimberlee Welsh Commings reaffirmed the validity of the affidavit for the record.

Ms. Commings had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Frey disclosed that in the 12 months preceding this application he had received the following campaign contribution:

- In excess of \$200 from Bell Atlantic Corporation

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 00-H-043, subject to the development conditions dated

December 6, 2000. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Hudgins moved modification of the transitional screening requirement to the west in accordance with the SE Plat and a waiver of the barrier requirements to the north, south, east and west. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Hudgins moved approval of a waiver of the service drive requirement along Route 28. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

61. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S00-IV-MV2 FOR SUB-UNIT C-1 OF THE WOODLAWN COMMUNITY BUSINESS CENTER (MOUNT VERNON DISTRICT)** (Tape 8)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman, on behalf of Supervisor Hyland, moved adoption of Out-of-Turn Plan Amendment S00-IV-MV2 as recommended by the Planning Commission on November 9, 2000. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

62. **4 P.M. – PH ON THE ACQUISITION OF ADDITIONAL LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE, PHASE II FAIRFAX COUNTY PARKWAY TO RESTON AVENUE (HUNTER MILL DISTRICT)** (Tape 8)

(R) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, which included testimony by one speaker, Supervisor Hudgins moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for the construction of

County Road Bond Project 006495 - Wiehle Avenue, Phase II Fairfax County Parkway to Reston Avenue. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Acting-Chairman Bulova voting "AYE," Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

63. **4 P.M. – PH ON THE ACQUISITION OF ADDITIONAL LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE, PHASE III FAIRFAX COUNTY PARKWAY TO DRANESVILLE ROAD (DRANESVILLE DISTRICT)** (Tape 8)

- (R) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for the construction of County Road Bond Project 006495 - Wiehle Avenue, Phase III Fairfax County Parkway to Dranesville Road. Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Acting-Chairman Bulova voting "AYE," Supervisor Frey, Supervisor Hyland, and Chairman Hanley out of the room.

DAM:dam

64. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING VIRGINIA COORDINATE SYSTEM OF 1983** (Tape 9)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, Burton O. Sours, County Surveyor, Department of Public Works and Environmental Services (DPWES), presented the staff and Planning Commission recommendations.

Discussion followed with input from Ms. Jan Leavitt, staff, Code Analysis Division, DPWES.

Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), and the PFM regarding Virginia Coordinate System of 1983 as set forth in the staff revision dated October 25, 2000, with an effective date of **12:01 a.m., December 12, 2000**, and that the following types of plans shall be grandfathered:

- Future subdivision plan submissions for which the preliminary plat was submitted prior to 12:01 a.m., March 15, 2001, provided that such plats and plans are approved no later than October 1, 2001.
- Subdivision Plats, subdivision plans, and site plans, submitted prior to 12:01 a.m., March 15, 2001, provided that such plats and plans are approved no later than October 1, 2001.

Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, Supervisor McConnell, and Acting-Chairman Bulova voting "AYE," Supervisor Frey, Supervisor Hyland, and Chairman Hanley being out of the room.

65. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-C-106 (WINCHESTER HOMES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 9)

Mr. Frank McDermott reaffirmed the validity of the affidavit for the record.

Mr. McDermott had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, introduced James Albright, a new Staff Coordinator, to the Board.

Following the public hearing, Mr. Albright, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA 88-C-106 subject to the execution of proffers dated November 10, 2000. Supervisor Bulova seconded the motion and it

carried by a vote of eight Supervisor Frey and Supervisor Hyland being out of the room.

66. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 9 (MASON DISTRICT)** (Tape 9)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Culmore RPPD, District 9. The proposed District expansion includes the following street blocks:

- Washington Drive (Route 794) from Tyler Street (Route 795) to Maple Court (Route 1026)

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “AYE,” Supervisor Frey and Supervisor Hyland being out of the room.

67. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX TO CONSIDER ENACTING CHAPTER 9.1 (COMMUNICATIONS) AND REPEALING CHAPTER 9 (CABLE COMMUNICATIONS)** (Tape 9)

(NOTE: Earlier in the meeting the Board discussed issues relating to this public hearing. See Clerk's Summary Item CL#13.)

Supervisor McConnell moved that the Board cancel the public hearing on proposed amendments to the Code of the County of Fairfax to consider enacting Chapter 9.1 (Communications) and Repealing Chapter 9 (Cable Communications). Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Bulova and Supervisor Hyland being out of the room.

68. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-MA-031, SPECIAL EXCEPTION APPLICATION SE 00-M-048, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-M-049 (SHIRLEY HIGHWAY DISTRIBUTION PARTNERSHIP) (MASON DISTRICT)** (Tape 9)

- (O) Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by one speaker, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-MA-031, from the I-5 District to the C-6 District, subject to the execution of proffers consistent with those contained in Appendix 1.
- Approval of Special Exception Application SE 00-M-048, subject to the development conditions dated November 16, 2000.
- Approval of Special Exception Amendment Application SEA 93-M-049, subject to the development conditions dated November 13, 2000.
- Waiver of the transitional screening requirement for the southern boundary of the I-5 District from the proposed C-6 District.

Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, Supervisor McConnell, and Chairman Hanley voting “AYE,” Supervisor Hyland being out of the room.

69. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-SP-026 (IVY DEVELOPMENT LC) (SPRINGFIELD DISTRICT)** (Tape 9)

(O) Mr. Paul R. Jeannin, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Jeannin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ-2000-SP-026 be amended from the R-1 District to the PDH-3 District subject to the execution of proffers contained in the staff report, and the conceptual development plan dated October 20, 2000. Supervisor Frey seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Kauffman, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

70. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-M-022 (COSCAN WASHINGTON, INCORPORATED) (MASON DISTRICT)** (Tape 9)

Mr. Timothy S. Sampson reaffirmed the validity of the affidavit for the record.

Mr. Sampson had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from Bowman Consulting Group, Ltd.

Supervisor Gross moved:

- Approval of Special Exception Application SE-00-M-022, subject to the development conditions dated November 13, 2000, with the following amendment:
 - Replace the language of Condition 15 with that contained in Appendix 1 of the staff report dated September 6, 2000. The applicant will be required to build the trail, not escrow for a future trail.
- Waiver of the minimum district size requirement.
- Denial of the requested modification of the trail requirement along Annandale Road.

Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

71. **5 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE FAIRFAX COUNTY PARK AUTHORITY (FCPA) (COUNTYWIDE)** (Tape 9)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

Following the public hearing, Supervisor Connolly moved authorization of the conveyance of County-owned property to the FCPA. There were multiple seconds to this motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

72. **5:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 9)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 22 and November 29, 2000.

The public hearing was held and included testimony from the following three speakers:

- Mr. James Dolson regarding public transportation for commuter parking inside beltway on Route 236 corridor.
- Ms. Jeanne Gerstner regarding the need to improve dangerous road conditions in the McLean area.
- Mr. Phillip Rappoport regarding the safety of Stuart Mill Road and the proposed Fox Clove extension.

Following the testimony of Ms. Jeanne Gerstner, Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and asked unanimous consent that the Board refer this road condition to staff for analysis as to the eligibility for using unallocated neighborhood improvement bonds. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Hanley

NV:nv

ADDITIONAL BOARD MATTERS

73. **HEROIC DOG** (Tape 9)

(NOTE: Earlier in the meeting, when Board Matters were presented, Supervisor Frey had not been present.)

Supervisor Frey stated that Friday night, December 8, 2000, there was a fire at a home on Stueben Pike in the Sully District. The German shepherd dog there dragged his master from his bed to awaken him and save his life. The house was destroyed. He asked unanimous consent that the Board direct staff to invite the dog and his master to appear before the Board to congratulate both for this heroic act. Without objection, it was so ordered.

74. **RETIREMENT OF MS. MARILYN DICUS** (Tape 9)

Supervisor Kauffman announced that Ms. Marilyn Dicus will soon retire from the Washington Metropolitan Area Transit Authority (WMATA). She was a long term WMATA employee who had been there throughout every opening of the expansion of the 103-mile system. She and her husband, Howard Dicus, a reporter for WTOP Radio, will be relocating to her family home in Hawaii. Accordingly, he asked unanimous consent that the Board direct staff to invite her to appear before the Board to be recognized for her service. Without objection, it was so ordered.

75. **LEGISLATIVE BREAKFAST** (Tape 9)

(NOTE: Earlier in the meeting the Board made note of the legislative breakfast. See Clerk's Summary Item CL#46.)

Supervisor Connolly, Chairman of the Board's Legislative Committee, announced that the annual legislative breakfast with the Fairfax delegation to the General Assembly is scheduled for Friday, December 15, 2000, at 7:30 a.m. at the Fairview Park Marriott.

Supervisor Mendelsohn announced that he would not be in attendance at the breakfast because he would be attending the Route 28 meeting.

76. **HAPPY HOLIDAYS** (Tape 9)

Supervisor Connolly and Chairman Hanley wished everyone "Happy Holidays."

77. **BOARD ADJOURNMENT** (Tape 9)

At 6:30 p.m., the Board adjourned.

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